THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.6402 of 2006

Dated:10.04.2006

Between:
Bodapati Singaiah, and others.

..... PETITIONER

AND

The District Collector, Prakasam District at Ongole, and others.

.....RESPONDENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.6402 of 2006

ORDER:

All the petitioners are journalists. They filed the instant Writ Petition seeking a direction to the respondents not to dispossess them from their respective house sites. It is their case that they made a representation to the authorities for allotment of house sites and after conducting enquiry they were issued house site pattas in the land known as Kesavarajukunta in Ongole Town. They also allege that some of them obtained loan from the Andhra Pradesh State Housing Corporation Limited and started construction. When the respondents tried to dispossess the petitioners so as to evict them and allot house site pattas to other persons, they filed the present Writ Petition. The petitioners allege that without due process of law, they cannot be dispossessed.

Heard the learned Counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignments).

The petitioners have enclosed the proceedings dated 16.12.2005 allotting house sites to them. They made an averment in the affidavit that they are in possession of the land. The learned Assistant Government Pleader submits that the District Collector issued a show cause notice on 19.03.2006 proposing to cancel the assignment on the ground that the petitioners are neither landless nor poor, and that the petitioners are yet to submit their explanations. In view of this, the allegation that the respondents did not initiate any action for cancellation of house site pattas is misconceived.

Therefore, liberty is given to the petitioners to submit explanation to the show cause notice, within a period of one week from the date of receipt of a copy of this order. As and when such explanations are submitted by each of the petitioners, the authority who issued show cause notice shall consider the same and pass appropriate orders. The petitioners allege that they are in possession of the

property/house sites. If they are dispossessed pending enquiry, the same would cause hardship to them. Therefore, there shall be *status quo* as on today till the enquiry initiated by the District Collector is completed.

The Writ Petition is accordingly disposed of with the above observations and directions. No costs.

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(V.V.S.RAO, J)

10.04.2006

Note: Issue C.C by 12.04.2006.

B/o.

vs